

Serial No. 10/034,411  
Kloos et al.  
Case No. CE08453I

### REMARKS

Reconsideration of the above-referenced application is respectively requested in view of the above amendments and these remarks. Claims 1-24 are currently pending.

In the Office Action, claims 1-4 and 9-16 were allowed. Applicants note with appreciation that the subject matter of these claims has been allowed. In addition, claims 18-22 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant notes with appreciation that the subject matter of these claims is deemed to be allowable if rewritten to include all limitations of the superseding and rejected claims. Applicant wishes to reserve the right to rewrite these claims, should further discussions regarding the base and superseding claims prove unrewarding.

Claims 17, 23 and 24 are rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 6,044,069 to Wan. Applicants have carefully reviewed the reference and has amended claim 17 to overcome the rejection. In particular, claim 17 is directed to a base station that operates in conformity to the present invention. Claim 17 is directed to a method that is performed at a base station in which the cell site ID is received from the mobile station. The mobile station knows the cell site ID from the data that has previously been sent between the base station and the mobile station. If the cell site ID is not included in the training period, the base station discards the time slot of information. If the cell site ID is included in the training period, the base station decodes the time slot of information.

Wan is directed to a power management system for a mobile station that reduces standby mode processing by receiving and processing single time slots of a short paging channel. Each single time slot of a short paging channel includes a mobile station identifier which alerts a receiving mobile station that a pending telephone call or paging message may be directed to the mobile station. Wan is therefore directed to outbound calls from a mobile station. Wan is filtering to determine if a page is for the mobile station. Wan is filtering only pages. In addition, Wan is filtering on cell site ID and throwing away most of the messages. In contrast, the present invention as found in claim

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17 is filtering to determine if signal strength should be computed using a transmission. The present invention also filters signals. Moreover, the present invention also filters based on the presence of the cell site ID.

In view of the foregoing, it is respectfully submitted that Wan does not disclose the invention as found in claim 17. Accordingly, Applicants respectfully submit that independent claim 17 is not anticipated by Wan. As claims 23 and 24 depend upon and include all the limitations of claim 17, Applicants respectfully submit that these dependent claims are not anticipated by Wan for the reasons given above. Applicant requests that the rejection under Section 102(e) be withdrawn.

Claims 5-8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over European Patent Application Publication No. 0 615 352 A1 to Malkamaki. Applicants have carefully reviewed the rejection and the cited reference and has amended claim 5 to overcome the rejection. In particular, claim 5 is a method performed by a mobile station where the mobile station obtains the cell site ID from the mobile station's memory. Thus, the cell site ID is determined by the communication that the mobile station is having with the particular base station for the particular communication session.

Malkamaki is directed to radio phone system with a digital cellular design that currently use a training sequence of constant length that is include in a transmission burst between a base station and a mobile station. With the aid of a received training sequence, the receiver calculates the impulse response of the channel and is thereafter adapted into the channel. The cited sections of Malkamaki are directed to the base station. The base station of Malkamaki obtains its cell site ID from itself. The Office Action states that it is inherent that the base station knows its cell site ID. On the other hand, the present invention as found in claim 5 describes a method by which a mobile station learns of the cell site ID for the communication that is being conducted between the base station and the mobile station.

In view of the foregoing, it is respectfully submitted that Malkamaki does not disclose, teach or otherwise suggest the present invention of the mobile station determining the cell site ID from its memory. Accordingly, Applicants respectfully submit that the present invention as found in claim 5 is not obvious in view of Malkamaki. As claims 6-8 depend upon and include the limitations of claim 5, it is also

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respectfully submitted that these dependent claims are not obvious for the same reasons given above. Applicant requests that the rejection under Section 103(a) be withdrawn.

As the Applicants have overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, the Applicants contend that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the Applicants respectfully solicit allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Please charge any fees associated herewith, including extension of time fees, to 50-2117.

Respectfully submitted,  
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